

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI**

DAVID DOUGLAS,	)	
	)	
and	)	
	)	
SUZANNE DOUGLAS,	)	
	)	
Plaintiffs,	)	Cause No. 10-3378-CV-S-RED
	)	
vs.	)	
	)	
	)	
SOVEREIGN BANK,	)	
	)	
Defendants.	)	

**DEFENDANT SOVEREIGN BANK'S SUGGESTION IN OPPOSITION TO  
PLAINTIFFS' MOTION TO FILE AMENDED PETITION**

COMES NOW, Defendant Sovereign Bank, by and through counsel, and hereby joins in Defendant Green Tree's Suggestion in Opposition to Plaintiffs' Motion for Leave to File Amended Petition. Defendant Sovereign Bank has reviewed Defendant Green Tree's Suggestion and hereby concurs and joins in said Suggestion. Defendant Sovereign Bank further suggests to this Court that, by failing to timely respond to Defendant Sovereign Bank's Motion to Set Aside Default Judgment and instead filing their Motion for Leave to Amend and directing same to Defendant Sovereign Bank, Plaintiffs concede that the previously entered default judgment against Defendant Sovereign Bank should be set aside.

WHEREFORE, Defendant Sovereign Bank prays this Court enter its Orders, setting aside the default judgment previously entered against Defendant Sovereign Bank and denying Plaintiffs' Motion for Leave to File an Amended Complaint, and for such other and further relief as this Court deems just and proper.

MILLSAP & SINGER, LLC

By: Scott D Mosier

Scott D. Mosier, #44179

612 Spirit Dr.

St. Louis, MO 63005

(636) 537-0110

(636) 537-0067 [fax]

[smosier@msfirm.com](mailto:smosier@msfirm.com)

Attorneys for Defendant Sovereign Bank FSB

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of the foregoing was submitted via the Court's CM/ECF system to all parties receiving notice thereby. A true and accurate copy was also sent by First Class US Mail on this 16th day of December, 2010 to the following:

- David A. Douglas, 2300 E. Hartley St., Ozark, MO 65721
- Suzanne S. Douglas, 2300 E. Hartley St., Ozark, MO 65721

Scott D Mosier